

March 11, 2011

Yolanda Cruz  
President, Municipal Employees' Federation, AFSCME, Local No. 101  
c/o Dr. MLK Jr. Library  
150 E. San Fernando St.  
San Jose, CA 95112-3580

LaVerne Washington  
President, Confidential Employees' Organization, AFSCME, Local No. 101  
c/o City Attorney's Office  
200 East Santa Clara Street  
San Jose, CA 95113

**RE: Information Request Dated March 9, 2011**

Dear Yolanda and LaVerne:

I am in receipt of your information request dated March 9, 2011, requesting thirteen (13) separate information items, which you describe as "pertaining to the City of San Jose's Health Care Proposal passed to AFSCME MEF and CEO on Monday, March 7, 2011."

**Requests #1-4**

Requests #1-4 seek information regarding the current level of participation of employees in the MEF and CEO bargaining units in health and dental plans. The following chart is responsive to these requests.

		MEF				CEO			
		Provider Plan		In-Lieu		Provider Plan		In-Lieu	
		EE-only	Plus-1	EE-only	Plus-1	EE-only	Plus-1	EE-only	Plus-1
Medical	FT 35-40	475	305	15	111	52	37	2	21
	FT 30-34	2	0	n/a	n/a	0	0	n/a	n/a
	FT 25-29	0	0	n/a	n/a	0	0	n/a	n/a
	FT 20-24	0	0	n/a	n/a	0	0	n/a	n/a
	PT 30-39	30	12	n/a	n/a	0	0	n/a	n/a
	PT 25-29	4	0	n/a	n/a	0	0	n/a	n/a
	PT 20-24	36	9	n/a	n/a	0	0	n/a	n/a

		MEF				CEO			
		Provider Plan		In-Lieu		Provider Plan		In-Lieu	
		EE-only	Plus-1	EE-only	Plus-1	EE-only	Plus-1	EE-only	Plus-1
Dental	FT 35-40	485	400	11	32	53	54	0	6
	FT 30-34	2	0	n/a	n/a	0	0	n/a	n/a
	FT 25-29	0	0	n/a	n/a	0	0	n/a	n/a
	FT 20-24	0	0	n/a	n/a	0	0	n/a	n/a
	PT 30-39	27	18	n/a	n/a	0	0	n/a	n/a
	PT 25-29	3	2	n/a	n/a	0	0	n/a	n/a
	PT 20-24	40	23	n/a	n/a	1	0	n/a	n/a

### **Requests #5-13**

The remaining 9 information requests (#5-13) seek information about the cost implications if the City of San Jose were to provide a tiered healthcare plan (Employee, Employee +1, and Family). Please note that the City of San Jose is not proposing a three tiered healthcare plan. Because the City is not proposing a tiered healthcare plan, it is not in possession of information regarding the cost implications of such a plan. Moreover, such information is not readily available and the City would have to retain experts to develop this information.

In addition, it is unclear how this information would be relevant to negotiations or necessary for MEF and CEO to provide a counterproposal to the City's proposals regarding healthcare, especially since there is no proposal to change from the current system to a tiered model.

Based on the foregoing, the City is not in a position to provide the information requested in items #5-13.

### **Refusal to Make Proposals**

At the end of your letter you state that MEF and CEO will be "unable to respond to the City of San Jose's proposals" regarding healthcare without receipt of cost analysis and requested information in your letter. That is not appropriate. As indicated above, the City has not made a proposal to modify the current health plans to tiered arrangements. If MEF and CEO plan to make a proposal to modify the current system to a tiered health plan system, it will have to support that proposal.

Please let me know if you have any questions.

Sincerely,



Gina Donnelly  
 Deputy Director of Employee Relations